T.D. INFORMAL MEMO: DO NOT MAIL THIS MEMO TO APPLICANT

Date:			25-Apr-08	APPL. S. N:	10792099			
To Exam	iner:		NGUYEN, HANH N.	Art Unit	2616			
From			Jefferson, Henry PARALEGAL SPCECIALIST	Return This Memo To: Case Drop-Off Location	JEF-2D68			
SUBJEC	T: Decisio	on on Termina	l Disclaimer(T.D.) filed:					
form par or have a	agraphs i any quest	dentified by t	his informal memo in your next see me or the Special Program (results as set forth below. If you a Office action to notify applicant of Examiner. THIS IS AN INFORMAL, F RECORD IN THE APPLICATION F	f the T.D. If you disagree			
please in	itial, date	and return t	his memo to me. THANK YOU.		•			
V	The T.D.	is PROPER a	nd has been recorded (see 14.2	3).	·			
	The T.D. is NOT PROPER and has not been accepted for the reason(s) checked below (see 14.24):							
		The TD fee of has not been submitted nor is there any authorization in the application file for the use of a deposit account						
		The T.D. does not satisfy Rule 321 in that the person who has signed the T.D. has not stated the extent of his/her interest (and/or the extent of the interest of the business entity represented by the signature) in the application/patent (see 14.26 & 14.26.01).						
	Γ		ks the enforceable only during on ting rejection, Rule 321(b) (see	common ownership clause – neede e 14.27.01).	ed to overcome a non-statutory			
	<u>.</u>			which is not acceptable since "the e granted" (MPEP 1490) (see 14.2	e disclaimer must be for a terminal 26 & 14.26.02).			
		The person v	who signed the T.D.:		•			
		is r	not an attorney "of record" (see	14.29 and 14.29.01).	•			
		☐ has	s failed to state his/her capacity	to sign for the business entity (se	ee 14.28).			
		is r	not recognized as an officer of t	he assignee (see 14.29 & possible	14.29.02).			
	, C	No documentary evidence of a chain of title from the original inventor(s) to assignee has been submitted, nor is the reel and frame number specified as to where such evidence is recorded in the Office (see 37 CFR 3.73(b) and 1140 O.G. 72). NOTE: This documentary evidence or the specifying of the reel an frame number may be found in the T.D. or in a separate paper of record in the application (see 14.30).						
		The T.D. is r	not signed (see 14.26 & 14.26.0	93).				
	[]		umber of the application (or the jection is missing or incorrect (s	number of the patent) which form see 14.32).	is the basis for the double			
		The serial number of this application (or the number of the patent in reexam or reissue cases being disclaimed is missing or incorrect (see 14.26, 14.27.02 or 14.26.05).						
	匚	The period d	isclaimed is incorrect or not spe	ecified (see 14.26, 14.27.02 or 14	.26.03).			
	Г							
		Other:	ro roquest refund (see 14.36).	NOTE: If already authorized, credit	1000			
		Suggestion to request refund (see 14.36). NOTE: If already authorized, credit refund to deposit account and do not check this item.						
I have a	ppropriat	ely notified ap	oplicant(s) of the status of the T	erminal Disclaimer filed in this cas	e.			
Ex.Initia	ls:	Da	te:		Log Date:			

Application Number	10/792,099	R	Applicant(s)/Patent under Reexamination SCOTT ET AL.					
Document Code - DISQ		Internal Do	cument – DO NOT MAIL					
TERMINAL DISCLAIMER	□ APPROVED		□ DISAPPROVED					
Date Filed : March 7, 2008 to a Terminal Disclaimer								
Approved/Disapproved by:								
Henry D. Jefferson								
			,					

U.S. Patent and Trademark Office

AGILENT TECHNOLOGIES, INC. Legal Department, DL429 Intellectual Property Administration P. O. Box 7599 Loveland, Colorado 80537-0599

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Alistair K. C. Scott et al.

Serial No.: 10/792,099

Examiner: Nguyen, Hanh N.

Filing Date: March 3, 2004

Group Art Unit: 2616

Title: System And Method For Correlation Of Dissimilar Telecommunication Signaling Protocols

COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria VA 22313-1450

TERMINAL DISCLAIMER RESPONSIVE TO A DOUBLE PATENTING REJECTION

Sir:

Petitioner, Agilent Technologies Inc., is the owner of 100 percent interest in the instant application. Petitioner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173 as shortened by any terminal disclaimer of prior Patent No. 7,245,609 to Agilent Technologies Inc., which issued on July 17, 2007, and is commonly owned by Applicant. Petitioner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, petitioner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such granted patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

For submissions on behalf of an organization (e.g., corporation), the undersigned is empowered to act on behalf of the organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

TERMINAL DISCLAIMER – DOUBLE PATENTING (continued)

ATTORNEY DOCKET NO. 10031368-1

Please charge the required fee set forth in 37 CFR 1.29(d) of \$130.00 to Deposit Account 50-1078. At any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account 50-1078 pursuant to 37 CFR 1.25.

Respectfully submitted,

Alistair K. C. Scott et al.

Michael J. Tempel Attorney/Agent for Applicant(s)

Reg. No. 41,344

Date: March 7, 2008

Telephone No. (770) 709-0056